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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Honorable Peter Hoagland
House of Representatives
1710 Longworth House Office Bldg.
Washington, DC 20515-2702

Dear Congressman Hoagland:

Thank you for your letter addressing the Commission's proposal to reallocate 2 gigahertz (GHz) spectrum for emerging technologies. You urge the Commission to adopt rules in this proceeding that take into consideration the concerns of Congress with regard to the existing users of the 2 GHz band.

This "emerging technologies" proceeding is one of the Commission's most important efforts. U.S. technological leadership and competitiveness is a driving force in the Commission's efforts to identify and allocate spectrum for new technologies. The primary issue before the Commission is finding ways to strike a balance in spectrum allocation policies that will accommodate new technologies while ensuring that existing users can maintain and enhance the quality of their current operations.

On September 17, 1992, the Commission adopted a First Report and Order and Third Notice of Proposed Rule Making in the emerging technologies proceeding (ET Docket No. 92-9) that addresses proposals to accommodate the competing interests. The Order allocates spectrum for emerging technologies and adopts a transition framework for those incumbent 2 GHz licensees that eventually may move to a different band. This framework will provide a period of fixed duration during which the only method for relocation will be through voluntary arrangements negotiated by emerging technology service providers and the incumbent fixed microwave licensees themselves.

Upon expiration of the voluntary negotiation period, an incumbent microwave licensee will retain co-primary status. However, if its frequencies are requested by an emerging technology service provider, the parties will be encouraged to negotiate a voluntary relocation agreement. Should the parties fail to reach a mutually agreeable understanding, the emerging technology service provider may request involuntary relocation of the incumbent. However, in such a case the emerging technology provider will be required to guarantee payment of all relocation expenses, build the new microwave facilities at the relocation frequencies, and test the new facilities for comparability with the old. The

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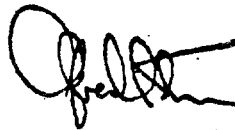
Honorable Peter Hoagland

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Commission exempted 2 GHz fixed microwave operations licensed to state and local governments, including public safety, from any involuntary relocation but permitted them to engage in voluntary agreements.

We believe that these provisions strike a balance between the competing interests of new technology proponents and existing 2 GHz licensees and address the concerns of the Congress. I am enclosing a copy of the decision made by the Commission.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alfred C. Sikes', with a stylized, cursive script.

Alfred C. Sikes
Chairman

Enclosure

Congressional

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
10/23/92

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9202918	10/23/92	10/15/92	11/05/92	11/03/92

TITLE	MEMBERS NAME
Congressman	Peter Hoagland

REPLY FOR SIG OF
ACS

CONSTITUENT'S NAME	SUBJECT
personal views	re: New Personal Communications Services

REF TO	REF TO	REF TO	REF TO
OET	SET		

DATE	DATE	DATE	DATE
10/23/92	10/23/92		

REMARKS:

Due to F.O. 10/30/92 noon
Thank you.

PETER HOAGLAND
2ND DISTRICT, NEBRASKA

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OFFICE BUILDING
WASHINGTON, D.C. 20515-2702
(202) 225-4155

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Congress of the United States
House of Representatives

October 15, 1992

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The Honorable Alfred C. Sikes, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington D.C. 20554

Dear Chariman Sikes:

I am writing to commend the Federal Communications Commission for its September 17 proposed rulemaking and to urge the FCC to adopt, by rulemaking, a provision included in the conference report for the FCC appropriations bill, now P.L. 102-395, relating to the implementation of the FCC's recently proposed spectrum allocation rule for emerging technologies.

I believe the provision establishes a more balanced procedure for electric utilities, railroads and others that would direct the advancement of PCS technology in a more fair and equitable manner. In addition, this provision is a clear directive from the Congress to the FCC that emerging technologies are to be accommodated without forcing the existing users from the current spectrum at the expense of their ratepayers and customers.

As you know, on February 19, 1992, the FCC issued a Notice of Proposed Rule allocating 220 MHz of microwave spectrum (1.85 to 2.20 GHz) to "emerging technologies" such as Personal Communications Services ("PCS") and proposing to force incumbent users to migrate to a higher, less reliable, spectrum. Expanding communications options in the current atmosphere of international competition is important to correcting America's trade balance; however, any effects the FCC proposal may have on promoting this effort could come at the expense of the nation's electric utility ratepayers, railroads and other consumers.

For example, some estimate that the FCC proposal could cost Nebraska's electricity ratepayers up to \$14 million in added expense to migrate their microwave system to a different band. Though the expenditure to the Nebraska electric utilities and others is most significant, equally important is the assurance of reliability and maintaining the safety and integrity of our electric power system. Utilities use microwave systems for reliable communication paths for power line and substation protection,

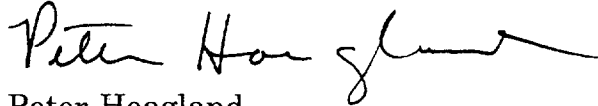
The Honorable Alfred C. Sikes, Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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supervisory control and data acquisition, and to control two-way radio base stations.

I greatly appreciate your consideration of this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter Hoagland".

Peter Hoagland

PH/mmh